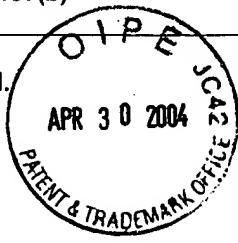


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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
250308-1020First Named Inventor: **Jongsma et al.**Application No.: **09/445,480**Filed: **July 7, 2000**Group Art Unit: **2871**Examiner: **Anne Kubelik**

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely Appeal Brief with the United States Patent and Trademark Office. Pursuant to 37 CFR 1.137(b)(1), Applicant's herewith submit an RCE accompanied by a submission and the requisite fee in compliance with 37 CFR 1.114 responsive to the Advisory Action mailed April 2, 2004.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and patent applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition Fee

- Small entity – fee **\$650.00** (37 C.F.R. 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- Other than small entity – fee **\$1,300.00** (37 C.F.R. 1.17(m))

No Fee – As set forth in the accompanying submission, no fee is believed to be due in connection with this submission, as the abandonment occurred entirely due to an error committed by the PTO. However, should any fee be required, you are hereby authorized to charge any such fee to deposit account 20-0778.

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of an **RCE** and a **Reply to Advisory Action** (identify type of reply):

- has been filed previously on _____.
- is enclosed herewith (see RCE and Reply to Advisory Action).

B. The RCE fee of **\$770**

- has been paid previously on _____.
- is enclosed herewith.

[Page 1 of 2]

05/03/2004 TBESHAI1 00000110 200778 09445480

02 FC:1453 30.00 DA 1300.00 DP

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d) of \$55.00 for a small entity or \$110.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

The above-identified application became abandoned for failure to timely submit an Appeal Brief by April 11, 2004. Since filing the Notice of Appeal, Applicants have exchanged numerous correspondence with the Office in an effort to place the application in condition for allowance and obviate the need for filing an Appeal Brief. Applicants submitted a Supplemental Response to Office Communication on March 16, 2004, with the belief that the application was put in condition for allowance. However, because the deadline for filing the Appeal Brief expired on March 11, 2003, the Examiner was unable to enter the claim amendments and place the application in condition for allowance. The claim amendments were not entered, because the application became abandoned for failure to file the Appeal Brief. The Office has sent Applicants an Advisory Action, and the Applicants reply to the Advisory Action herewith.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

4/28/04

Date

Cynthia J. Lee

Signature

Telephone Number: (770) 933-9500

Cynthia J. Lee, Reg. No. 46,033

Typed or printed name

Thomas, Kayden, Horstemeyer & Risley LLP
100 Galleria Parkway
Suite 1750
Atlanta, GA 30339

Enclosures:

Fee Payment
 Reply to Advisory Action of April 2, 2004
 Terminal Disclaimer Form
 Additional sheets containing statements establishing unintentional delay
 Other: RCE

CERTIFICATE OF MAILING [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

04.28.04

Date

Signature

Gloria Simmons

Typed or printed name

Gloria Simmons

Typed or printed name